c) said cable modem termination system obtaining from said time stamps a periodicity of TCP ACK packets arriving at said cable modem and responsively conducting a grant of bandwidth service for said cable modem based on said periodicity for transmission of said TCP ACK packets to said cable modem termination system.

23.   A method of decreasing latency in a Voice over Internet Protocol (VoIP) session between a cable modem and a cable modem termination system, said cable modem termination system periodically transmitting grants of bandwidth during a nominal grant interval having a boundary in time commencing said nominal grant interval, the method comprising the steps of:

a) determining the latency L between a nominal interval grant boundary and the arrival of a voice packet at said cable modem;

b) said cable modem termination system determining said latency L; and

c) said cable modem termination system shifting said nominal interval grant boundary an amount equal to L.

REMARKS

In applicants' first preliminary amendment filed with the missing parts response, the middle initial of inventor Rozman was added. In this second preliminary amendment, the applicants have corrected an error in the sequential lettering of the paragraphs of the body of claims 12 and 23.

Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: _Nov. 26, 2002_   By: _Thomas A. Fairhall_

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CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing SECOND PRELIMINARY AMENDMENT is being deposited as first class mail, postage prepaid, in an envelope addressed to Commissioner of Patents, BOX MISSING PARTS, Washington, D.C. 20231 on this _26_ day of November, 2002.

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